

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT IN A CIVIL CASE

LEE ROBBINS

vs.

CASE NUMBER: 5:06-CV-51 (GTS/ATB)

**NEW YORK STATE ELECTRIC
AND GAS CORPORATION**

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that Defendant's motion for summary judgment (Dkt No. 34) is granted; and Plaintiff's claim under New York State Labor Law is dismissed without prejudice to refiling in New York State Court within thirty (30) days of this judgment, pursuant to 28 U.S.C. §1367(d); and it is further ORDERED that the remainder of Plaintiff's complaint is dismissed with prejudice.

All of the above pursuant to the order of the Honorable Judge Glenn T. Suddaby, dated the 19th day of March, 2010.

DATED: March 19, 2010



Lawrence A. Baum
Clerk of Court

s/

L. Welch
Deputy Clerk